

FILED

March 14, 2024

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

BY: CC
DEPUTY

MWK RECRUITING, INC.,

Plaintiff

v.

EVAN P. JOWERS,

Defendants.

Civil Action No. 1:18-CV-444-RP

**DEFENDANT'S NOTICE TO THE COURT THAT DEFENDANT HAS
NOT BEEN SERVED ANY COURT RULINGS OR ORDERS SINCE DE-
FENDANT STARTED REPRESENTING HIMSELF PRO SE**

Defendant Evan Jowers ("Mr. Jowers") hereby files this notice to the Court regarding the lack of service to him of any court order or ruling since he became pro se in these post judgement proceedings.

The Court is aware that Mr. Jowers is pro se and the Court is aware that Mr. Jowers has no access to the Pacer system.

On November 29, 2023 at 9.30am the Court conducted a telephonic hearing regarding Plaintiff's ("Mr. Kinney") opposition of Mr. Jowers' motion to allow his previous counsel Robert Tauler and Kevin Cole to withdraw from their representation of Mr. Jowers in this case. During this hearing the Court asked Mr. Jowers to provide an email address where he can receive filings from the Plaintiff

and orders and rulings from Court. Mr. Jowers provided an email address: evan@evanjowers.com. Mr. Kinney has made sure to provide Mr. Jowers all the filings he has made since then in the post judgement proceedings, and Mr. Jowers very much appreciates this effort. However, the Court has not served Mr. Jowers with any orders or rulings since the November 29, 2023 telephonic hearing on this issue.

Mr. Jowers has had to rely on friends, his former attorneys and his current attorneys for his appeal to the 5th Circuit to keep him informed of rulings and orders from this Court. It has put Mr. Jowers at risk of not being able to follow orders of the Court and not being fully aware of all the proceedings.

Due to the Receivership order making it impossible for Mr. Jowers to have funds available to pay basic bills, including to maintain an email address, Mr. Jowers may lose the evan@evanjowers.com email address and asks that the Court instead serve him by email at evan@jowersvargas.com. Mr. Jowers does not have a current home mailing address, as he is living with various friends in Florida for temporary periods while he no longer has funds available to pay for housing and is not allowed to do so by the Receivership order. Mr. Jowers requests that any necessary mailings from the Court go to his mother's address: 4546 King Street, Metairie, LA 70001.

Mr. Jowers asks the Court to consider that he is pro se only because he has no funds available to pay attorneys to represent him outside of his ongoing appeal of the Judgement to the 5th Circuit. Mr. Kinney has made efforts to garnish

starting in 2023 any funds that Mr. Jowers pays to any attorneys and sent garnishment orders to Mr. Jowers' attorneys in 2023 which prevents Mr. Jowers from paying his attorneys legal fees even when he may have funds available.

Mr. Jowers is trying his best to keep up with everything, but he has no litigation experience as an attorney and is representing himself in these post judgment proceedings, the 2nd lawsuit Mr. Kinney has filed recently against Mr. Jowers in this same Court, and also on the appeals to the 5th Circuit of this Court's rulings regarding Plaintiff's attorneys fees and the Receivership order.

Mr. Jowers also asks this Court to note that the Receivership order makes no exception for basic funds needed for food and shelter and basic survival. Thus Mr. Jowers has had to also juggle his pro se responsibilities with finding places to temporarily stay at the homes of friends, who are also helping with basics such as meals to eat. Making those arrangements is very time consuming and stressful.

Mr. Jowers is also dealing with Mr. Kinney's efforts in Hong Kong, through Mr. Kinney's political connections there, to have Mr. Jowers and his business partner arrested by the Independent Commission Against Corruption in Hong Kong on baseless grounds of government corruption allegations, based only on the Findings of Facts and Law and the Judgment in this litigation in Texas. The ICAC is a controversial agency in Hong Kong set up in the 1970s to fight government corruption and it provides no due process and all of the proceedings and any investigation is conducted in secret. It's thus very challenging to defend against these corruption allegations. Mr. Jowers has been in direct contact with

the ICAC and is making progress on the blatantly corrupt charges against him there, but it's still unsafe for him to return to Hong Kong and continue to run his business there. The ICAC has directly explained by phone to Mr. Jowers that he will be arrested if he returns to Hong Kong and the ICAC has requested Mr. Jowers to return to be arrested in multiple phone calls.

Mr. Jowers was threatened with arrest in Hong Kong by Mr. Kinney in 2016 when Mr. Kinney was forcing Mr. Jowers to work illegally in Hong Kong without a work visa, as Mr. Kinney did with his former Hong Kong employee Alexis Lamb. It was an extremely stressful situation for Mr. Jowers then, as is the current situation in Hong Kong.

Mr. Jowers is also dealing with Mr. Kinney's written threats to cause his mother and wife harm through severe harassment. Mr. Jowers' wife has left the country due to Mr. Kinney's threats and Mr. Jowers and his wife have also had to make arrangements for her to have basic food and shelter with very little funds available. Mr. Jowers' mother is 78 years old and has a heart condition and is a recovering cancer survivor. She has high anxiety from Mr. Kinney's threats to cause her great harm and stress while filming her reaction for the world to see.

In light of the above, Mr. Jowers requests that the Court provide Mr. Jowers the bare minimum and recognize Mr. Jowers' rights to due process in these proceedings, by being properly served with Court orders and rulings, especially considering Mr. Jowers' pending appeal to the 5th Circuit and also the Federal Trade Commission's plan to vote and pass in April 2024 its proposed rule to ban

and rescind all non-compete provisions in employment agreements from being enforced.

Dated: March 14, 2024

Respectfully Submitted,

/s/ Evan P. Jowers
Evan P. Jowers, Pro Se
4546 King Street
Metairie, LA 70001
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(917) 292 - 8657

CERTIFICATE OF SERVICE

On March 14, 2024, I filed the foregoing document with the clerk of court for the U.S. District Court, Western District of Texas, via the Pro Se electronic drop box. I hereby certify that I have served the document on all counsel and parties of record by a manner authorized by the Federal Rules of Civil Procedure 5(b) (2).

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Plaintiff

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Defendants.

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DECLARATION OF EVAN P. JOWERS

I Evan P. Jowers declare:

1. I am Evan P. Jowers and am over the age of 18 and am otherwise competent to testify.
2. I have not been served by the Court any rulings or orders since I became Pro Se in this case in November 2023. I provided the Court my email address in November 2023, at the Court's request, for the purpose of being served fillings by the Plaintiff and rulings and orders by the Court.

Executed on March 14, 2024

By: /s/ Evan Jowers.

Pro Se

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